IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

LA.App..No. 580 of 2006(D)

LAA.243/2001 of ADL.SUB COURT, THALASSERY
.....

APPELLANT: CLAIMANT

THEKKUMBADAN RAJAN, S/O.LATE KUNHIKANNAN
AGED 51 YEARS, OLAYIL HOUSE,
ELAMPARA P.O., THALASSERY TALUK,
KANNUR DISTRICT.

BY ADV. SRI.R.SURENDRAN

RESPONDENTS:

SPECIAL TAHSILDAR, (L.A) AIRPORT,
KANNUR, MATTANNUR,
KANNUR DISTRICT.

BY GOVT.PLEADER SRI.MANOJ

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 08/03/2007, ALONG WITH L.A.A.NO.621/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & K.T.SANKARAN,JJ.

L.A.A.Nos.580 & 621 of 2006

Dated this the 8th day of March, 2007

JUDGMENT

Kurian Joseph,J.

The matter arising in these appeals is the claim made for enhancement of compensation for the land acquired for construction of Kannur Air Port. It is seen that in connected matters this court has already remitted the matter to the reference court for fresh consideration by judgment in L.A.A.No.66/2006 and connected cases. Since the cases are thus remitted to the reference court and since the appellant would also get a fresh opportunity, without expressing any opinion as to the merits of the contentions, the judgment and decree in these appeals are also set aside and the cases are remitted to the reference court. Since the appeals are remitted, though procedurally the party should have been directed to pay the full court fee and then order refund of the court fee, in order to avoid such complications, it is ordered that the appellant shall be entitled to refund of the 1/3rd court fee already paid.

(KURIAN JOSEPH, JUDGE)

ahg. (K.T.SANKARAN, JUDGE)